

APPROVAL

RESOLUTION NO. A-_____

1 WHEREAS, Alodium LLC, hereinafter Appellant, is constructing a small office
2 building with a basement located at 6710 L Street; and

3 WHEREAS, said building contains 5,267sq. ft. of gross floor area as defined in
4 Lincoln Municipal Code § 27.82.040 and contains 3,750 sq. ft. of floor area as defined
5 by Lincoln Municipal Code § 27.03.250; and

6 WHEREAS, the Impact Fee Administrator calculated the arterial street impact
7 fees for this use based upon the gross floor area using the arterial street impact fee
8 schedule beginning January 1, 2004 for general office (\$2,178 per 1,000 sq. ft.); and

9 WHEREAS, the Appellant filed its notice of appeal appealing the impact fee
10 determination and requesting that the arterial street impact fees be calculated based
11 upon the buildings "net" floor area of 3,750 sq. ft. as Appellant's building has a larger
12 storage area when compared to other commercial office buildings and that strict
13 application of the impact fee ordinance's calculations under these circumstances work
14 an unjust and undue burden on the Appellant; and

15 WHEREAS, the City Council finds that there are unusual circumstances of the
16 development which demonstrate that the application of the fee to the development
17 would be unfair or unjust.

18 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
19 Lincoln, Nebraska:

1 That the impact fee notice of appeal filed by Alodium LLC on July 29, 2004 is
2 hereby approved and the Impact Fee Administrator is directed to recalculate the arterial
3 street impact fee based upon the floor area of the building (3,750 sq. ft.).

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2004:

Mayor